

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

ATTY DOCKET NO.: 9022-21CT

DATE: August 6, 2003

**UTILITY PATENT APPLICATION TRANSMITTAL LETTER
AND FEE TRANSMITTAL FORM (37 CFR § 1.53(b))**

Mail Stop PATENT APPLICATION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing under 37 CFR § 1.53(b) is:

- ☐ a patent application
☒ a Continuation ☐ a Divisional ☐ a Continuation-in-Part (CIP) Application of prior application no.: 09/732,163; filed December 7, 2000, the disclosure of which is incorporated herein by reference in its entirety.
☒ and claims the benefit of Provisional Application No. 60/169,545; filed December 7, 1999.

Inventor(s) or Application Identifier:

David Warburton
Barbara Driscoll
Susan Buckley
Margaret A. Schwarz

The PTO did not receive the following:
listed item(s) SEQUENCE
LISTING

Entitled:

Lung Stem Cells and Lung Regeneration

Myers Bigel Sibley & Sajovec, P.A.
P. O. Box 37428
Raleigh, North Carolina 27627
Telephone: (919) 854-1400
Facsimile: (919) 854-1401
Customer No. 20792

Enclosed are:

1. ☒ Application Transmittal Letter and Fee Transmittal Form (*A duplicate is enclosed for fee processing*)
2. ☒ **25** pages of Specification (including **13** claims)
3. ☒ **11** sheets of Formal Drawings (35 USC 113)
4. ☒ Oath or Declaration
 - a. ☐ newly executed (*original or copy*)
 - b. ☒ copy from prior application (37 CFR 1.63(d) (*for continuation/divisional*) [Note Box 6 Below])
 - c. ☐ DELETION OF INVENTOR(S) (*Signed statement deleting inventor(s) named in the prior application*)
5. ☐ Application Data Sheet. See 37 CFR 1.76

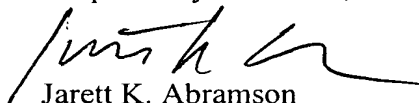
6. ☒ Incorporation By Reference *(useable if box 4b is checked)*
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
7. ☐ Microfiche Computer Program *(Appendix)*
8. ☒ Assignment papers *(cover sheet(s) and document(s)) Filed in Prior Application*
9. ☒ Applicant claims small entity status. See 37 CFR § 1.27.
10. ☒ Information Disclosure Statement, PTO-1449, and 0 references cited
11. ☒ Preliminary Amendment *(Please enter all claim amendments prior to calculating the filing fee.)*
12. ☐ English Translation Document
13. ☐ Certified Copy of Application No. ; Filed
14. ☒ Sequence Listing/ Sequence Listing Diskette
- a. ☐ computer readable copy
- b. ☐ paper copy
- c. ☒ statement in support
15. ☐ An Associate Power of Attorney
16. ☒ Return Receipt Postcard (MPEP 503) *(Should be specifically itemized)*
17. ☐ Other:

The fee has been calculated as shown below:

	Column 1 No. Filed	Column 2 No. Extra	Small Entity Rate Fee	Large Entity Rate Fee
BASIC FEE			\$375.00	\$ 750.00
TOTAL CLAIMS	13 - 20 =	0	x 09 = \$	x 18 = \$
INDEP CLAIMS	2 - 3 =	0	x 42 = \$	x 84 = \$
<input type="checkbox"/> MULTIPLE Dependent Claims Presented			+ 140 = \$	+ 280 = \$
<i>If the difference in Col. 1 is less than zero. Enter "0" in Col. 2</i>			Total \$375.00	Total \$

- ☒ A check in the amount of **\$375.00** to cover the filing fee is enclosed.
- ☐ A check in the amount of \$ is enclosed to cover the filing fee, PLUS the Assignment Recordation fee (\$40.00).
- ☐ Please charge my Deposit Account No. 50-0220 in the amount of \$.
- ☒ The Commissioner is hereby authorized to credit overpayments or charge the following fees associated with this communication to Deposit Account No. 50-0220:
- a. ☒ Additional filing fees under 37 CFR 1.16 for presentation of extra claims.
- b. ☒ Additional patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

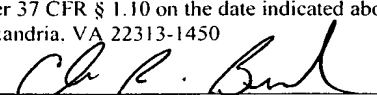

Jarett K. Abramson
Registration No. 47,376

CERTIFICATE OF EXPRESS MAILING

Express Mail Label No. EV 193631279 US

Date of Deposit: August 6, 2003

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to: Mail Stop PATENT APPLICATION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450


Clara R. Beard

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Warburton et al.
Serial No. To Be Assigned
Filed: Concurrently Herewith
For: *Lung Stem Cells and Lung Regeneration*

Continuation of Application No. 09/732,163

Date: August 6, 2003

Mail Stop Patent Application
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

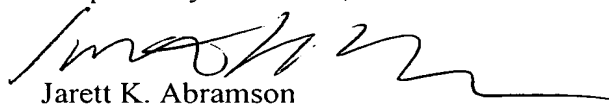
STATEMENT IN LIEU OF FILING A
SEQUENCE LISTING UNDER 37 CFR § 1.821(e)

Sir:

I hereby request that the sequence listing already on file in parent application Serial No. 09/732,163; filed December 7, 2000, be used in this case in lieu of filing a duplicate computer readable form herein. I hereby state that the sequence listing in this application is identical to the computer readable form filed in said previous application, and that no new matter is added.

If there are any further requirements necessary to comply with the Sequence Listing rules in this case, please contact Applicants' undersigned representative at your earliest convenience.

Respectfully submitted,


Jarett K. Abramson
Registration No. 47,376

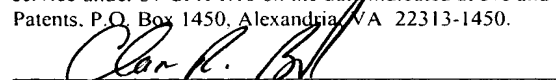
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